

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KEVIN LA'VON GILES,

Plaintiff,

Civil Action No. 23-10951

Honorable Jonathan J.C. Grey

v.

JONATHAN HEMINGWAY, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND
RECOMMENDATION (ECF No. 20)**

Pro se plaintiff Kevin La'Von Giles filed this 42 U.S.C. § 1983 lawsuit against numerous defendants alleging a violation of his Eighth and Fourteenth Amendment rights. This matter comes before the Court on Magistrate Judge Kimberly G. Altman's Report and Recommendation dated September 7, 2023. (ECF No. 20.) In the Report and Recommendation, the Magistrate Judge recommends that the Court deny Giles' motion for a temporary restraining order and preliminary injunction (ECF No. 13). (*Id.*) No party has filed an objection to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above, **IT IS ORDERED** that the Report and Recommendation dated September 7, 2023 (ECF No. 20) is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Giles' motion for temporary restraining order and preliminary injunction (ECF No. 13) is **DENIED**.

IT IS ORDERED.

Dated: October 4, 2023

s/Jonathan J.C. Grey
JONATHAN J.C. GREY
UNITED STATES DISTRICT JUDGE

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 4, 2023.

s/ S. Osorio
Sandra Osorio
Case Manager